

TITLE 45 DEPARTMENT OF STATE REVENUE

LSA Document #02-40

Under IC 4-22-2-23, the Department of State Revenue intends to adopt a rule concerning the following:

OVERVIEW: Amends 45 IAC 18-1 concerning definitions of terms and phrases used in the rules regulating charity gaming by the Department of State Revenue. Adds 45 IAC 18-3-4 concerning calendar raffles conducted by qualified organizations. Amends several provisions concerning the use of proceeds and record keeping requirements by the qualified organization. Adds 45 IAC 18-8-1 concerning administrative procedures involved in protests and hearings and departmental findings. Repeals several definitions that are specifically defined in the charity gaming statute (IC 4-32). Public comments are invited. Statutory authority: IC 4-32-7-3; IC 4-32-8-3.

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

LSA Document #02-44

Under IC 4-22-2-23, the Indiana Utility Regulatory Commission intends to adopt a rule concerning the following:

OVERVIEW: Amends 170 IAC 4-1-26 concerning electrical line construction and variances. Effective 30 days after filing with the secretary of the state. Questions concerning the proposed rule may be addressed to the following telephone number: (317) 232-0158. Statutory authority: IC 8-1-1-3(g).

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-45

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 2-3 to specify that a United States Savings Bond is considered available for Medicaid eligibility purposes beginning on the date of purchase. Statutory authority: IC 12-8-6-5; IC 12-15-1-10.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-47

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends existing pharmacy and prior authorization regulations to allow for changes in the existing prospec-

tive drug utilization review (pro-DUR) functionality that is used by pharmacy providers in detecting possible therapeutic problems with individual Medicaid patients' drug regimens. Currently, when submitting claims for drugs via the on-line, real time claims processing system, the pharmacist enters certain information from a new prescription into the system. That information (which includes the name of the drug, dosage form and strength, quantity to be dispensed, etc.) is screened against data from claims previously paid for by Medicaid on behalf of the patient. If as a result of this review certain clinical situations are detected (such as an early refill, possible therapeutic duplication, drug-drug interaction, etc.), the pharmacist is "alerted" to that circumstance by the pro-DUR system. Under the existing pro-DUR functionality, the pharmacist has the option to "override" the alert and proceed with the dispensing of the prescription and filing of the claim. This system of unrestricted "override" capability by the pharmacist is known as "soft alerts". For quality of care and cost reasons, and based on the policies of other payers, OMPP is proposing that so-called "hard alerts" be instituted in the pro-DUR system. This would entail the denial of a pharmacy's claim upon the posting of certain pro-DUR alerts (as opposed to being able to be "overridden" by the pharmacist). Prior authorization would be required in order for the claim to be refiled and paid. OMPP proposes amending its current rules to provide OMPP with the authority to convert "soft" pro-DUR alerts to "hard" pro-DUR alerts, subsequent to review by the Indiana Medicaid DUR Board and 45 days advance provider notification. These limitations will not apply to the risk based managed care program. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-3.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-48

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 5-3 and 405 IAC 5-24 to limit to four the number of brand name legend drug prescriptions for which Medicaid reimbursement is available per recipient, per calendar month, without prior authorization. These limitations will not apply to the risk based managed care program. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-3.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-49

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

Notice of Intent to Adopt a Rule

OVERVIEW: Amends 405 IAC 5-12 to limit Medicaid coverage for chiropractic services to recipients over the age of twenty (20) to manual manipulations of the spine and x-rays, consistent with Medicare. Eliminates chiropractic services for recipients under the age of twenty-one (21). Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-3.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-50

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 5-14 to limit annual expenditures for Medicaid covered dental services to six hundred dollars (\$600) per year for recipients twenty-one (21) years of age and over. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-3.

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #02-43

Under IC 4-22-2-23, the Indiana State Department of Health intends to adopt a rule concerning the following:

OVERVIEW: Amends 410 IAC 15 to remove the forty-eight (48) hour requirement for authentication of entries in medical records and add requirements regarding appropriate authentication of entries in medical records. Written comments may be submitted to the Indiana State Department of Health, Attention: Office of Legal Affairs, 2 North Meridian Street, Indianapolis, Indiana 46204. Statutory authority: IC 16-21-1-7.

TITLE 412 INDIANA HEALTH FACILITIES COUNCIL

LSA Document #02-41

Under IC 4-22-2-23, the Indiana Health Facilities Council intends to adopt a rule concerning the following:

OVERVIEW: Amends 412 IAC 2, Qualified Medication Aides, to establish a program for certification, prescribe education and training programs, determine standards concerning functions, establish fees, and establish a registry of qualified medication aides. Written comments may be submitted to the

Indiana State Department of Health, Attn: Office of Legal Affairs, 2 North Meridian Street, Indianapolis, Indiana 46204. Statutory authority: IC 16-28-1-11.

TITLE 440 DIVISION OF MENTAL HEALTH AND ADDICTION

LSA Document #02-42

Under IC 4-22-2-23, the Division of Mental Health and Addiction intends to adopt a rule concerning the following:

OVERVIEW: Adds 440 IAC 1.5 concerning the licensure of private mental health institutions. Repeals 440 IAC 1-1.5. Statutory authority: IC 12-8-8-4; IC 12-21-2-3; IC 12-25.

TITLE 460 DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES

LSA Document #02-46

Under IC 4-22-2-23, the Division of Disability, Aging, and Rehabilitative Services intends to adopt a rule concerning the following:

OVERVIEW: The intent and scope of this rule will be to establish standards and basic requirements for all providers and case managers providing supported living services and day services to eligible individuals with a developmental disability, pursuant to IC 12-11. Statutory authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-11-1.1-9; IC 12-11-2.1-12; IC 12-10-1-3(16).

TITLE 460 DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES

LSA Document #02-58

Under IC 4-22-2-23, the Division of Disability, Aging, and Rehabilitative Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 460 IAC 2-3-1, 460 IAC 2-3-2, and 460 IAC 2-3-3 to offer additional criteria that may be fulfilled to receive state interpreter certification, extends the deadline by which certain criteria must be met to become certified, and adds relevant definitions. It will become effective 30 days after filing with the secretary of state. Statutory authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5.

Notice of Intent to Adopt a Rule

TITLE 655 BOARD OF FIREFIGHTING PERSONNEL STANDARDS AND EDUCATION

LSA Document #02-39

Under IC 4-22-2-23, the Board of Firefighting Personnel Standards and Education intends to adopt a rule concerning the following:

OVERVIEW: The proposed amendments and additions to 655 IAC 1-1 and 655 IAC 1-2.1 are for the purpose of amending certification programs, amending certifications, updating certain National Fire Protection Association standards, and making conforming section changes. Statutory authority: IC 22-12-7-7; IC 22-14-2-7.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #02-51

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: To revise, clarify, and correct miscellaneous technical and editorial provisions to 675 IAC 13-1-8, NFPA 13 - 1999 Edition and 675 IAC 13-1-10, NFPA 20 - 1999 Edition. Public comments are invited and may be directed to the Department of Fire and Building Services, Attention: Technical Services, 402 West Washington Street, Room W246, Indianapolis, Indiana 46204, or by e-mail at eblakey@sema.state.in.us. Statutory authority: IC 22-13-2-13; IC 22-13-2-2.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #02-52

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: Amends 675 IAC 20, the Indiana swimming pool code to make substantive and technical changes. Public comments are invited and may be directed to the Department of Fire and Building Services, Attention: Technical Services, 402 West Washington Street, Room W246, Indianapolis, Indiana 46204, or by e-mail at eblakey@sema.state.in.us. Statutory authority: IC 22-13-2-13; IC 22-13-2-2.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #02-53

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: To adopt and amend NFPA 58, 2001 Edition as 675 IAC 22-2.2-14. Public comments are invited and may be directed to the Department of Fire and Building Services, Attention: Technical Services, 402 West Washington Street, Room W246, Indianapolis, Indiana 46204, or by e-mail at eblakey@sema.state.in.us. Statutory authority: IC 22-13-2-13; IC 22-13-2-2.

TITLE 865 STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

LSA Document #02-56

Under IC 4-22-2-23, the State Board of Registration for Land Surveyors intends to adopt a rule concerning the following:

OVERVIEW: To increase the number of examination attempts for applicants applying for certification as a land surveyor-in-training. To modify the requirements for surveyor location reports. Questions or comments concerning the proposed rules may be directed to: Indiana Professional Licensing Agency, Attention: Staff Counsel, 302 West Washington Street, Room E034, Indianapolis, Indiana 46204-2700. Statutory authority: IC 25-21.5-2-14.

TITLE 865 STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

LSA Document #02-57

Under IC 4-22-2-23, the State Board of Registration for Land Surveyors intends to adopt a rule concerning the following:

OVERVIEW: To establish distance learning continuing education requirements and procedures for land surveyors, and the requirements and procedures for distance learning continuing education providers. Questions or comments concerning the proposed rules may be directed to: Indiana Professional Licensing Agency, Attention: Staff Counsel, 302 West Washington Street, Room E034, Indianapolis, Indiana 46204-2700. Statutory authority: IC 25-21.5-2-14; IC 25-21.5-8-7.